

ELLIOTT & ELLIOTT, P.A.  
ATTORNEYS AT LAW  
721 OLIVE STREET  
COLUMBIA, SOUTH CAROLINA 29205  
[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)

SCOTT ELLIOTT

TELEPHONE (803) 771-0555  
FACSIMILE (803) 771-8010

August 10, 2009

**VIA E-FILING**

Charles L. A. Terreni, Esquire  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
101 Executive Center Drive  
Columbia, SC 29210

RE: Application of LMK Communications, LLC for a Certificate of Public Convenience and Necessity to Provide Interexchange and Local Exchange Telecommunications Services and for Local Service Offerings to be Regulated in Accordance with Procedures Authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C; and for Interexchange Service Offerings to be Regulated in Accordance with Procedures Established for Alternative Regulation in Order Nos. 85-1734 and 96-55 in Docket No. 95-661-C  
Docket No.: 2009-300-C

Dear Mr. Terreni:

Enclosed please find the affidavit of publication for the Notice of Filing and Hearing in the above-captioned docket.

If you have questions, please do not hesitate to contact me.

Sincerely,

Elliott & Elliott, P.A.



Scott Elliott

SE/jcl

Enclosure

cc: Nanette S. Edwards, Esquire w/enc.  
Joseph Isaacs, Esquire

JOSEPH ISAACS ISG-TELECOM CONSULTANTS  
4274 ENFIELD COURT SUITE 1600  
PALM HARBOR FL 34685

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

08/03/09 Mon PC  
08/03/09 Mon CNW

at a cost of \$320.52  
Account# 221082  
Order# 144432  
P.O. Number:

Subscribed and sworn to before  
me this 5th day  
of August  
A.D. 2009

advertising clerk

NOTARY PUBLIC, SC

My commission expires

My Commission Expires 10/10/13

### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### DOCKETING DEPARTMENT

#### NOTICE OF FILING AND HEARING

DOCKET NO. 2009-300-C

LMK Communications LLC ("LMK" or "Applicant") has filed with the Public Service Commission of South Carolina ("Commission") an Application for a Certificate of Public Convenience and Necessity for authority to provide resale and facilities-based local exchange and interexchange service pursuant to S.C. Code Ann. § 58-9-200(B), as amended and Section 253 of the Telecommunications Act of 1996. The Applicant requests that the Commission regulate its local service offerings in accordance with Order No. 1998-165 in Docket No. 1997-467-C for flexible regulation. In addition, the Applicant requests that its interexchange service offerings be regulated in accordance with procedures established for alternative regulation in Order No. 1995-1724 and 1996-55 in Docket No. 1995-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C. The Applicant intends to offer interexchange service to business customers throughout the State, and intends to provide local exchange service to customers located in non-rural local exchange carriers' service areas in South Carolina.

A copy of the Company's entire Application can be found on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) under Docket No. 2009-300-C. A copy of the Application is also available from Scott Elliott, Esquire, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29203.

**PLEASE TAKE NOTICE:** A hearing on the matter has been scheduled to begin at 11:30 a.m. on Monday, October 26, 2009, before Hearing Examiner David Butler, Esquire, in the Commission's Law Library at 101 Executive Center Drive, Suite Building, Columbia, South Carolina 29210.

**PLEASE BE ADVISED:** that pursuant to South Carolina Code of Laws, Section 58-9-200, as amended, the Commission will invoke the 120-day period allowed for consideration of this matter.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before August 31, 2009, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2009-300-C.

Any person who wishes to testify, and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201 and Scott Elliott, Esquire, at the above address, on or before August 31, 2009, and indicate the amount of time required for his presentation. Please refer to Docket No. 2009-300-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before August 31, 2009. Please refer to Docket No. 2009-300-C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 696-3100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 1169  
Columbia, South Carolina 29211 7/30/09  
AD #14432